

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

CASE NO.: 0:23-cv-61233-MARTINEZ-BECERRA

THE SMILEY COMPANY SPRL,

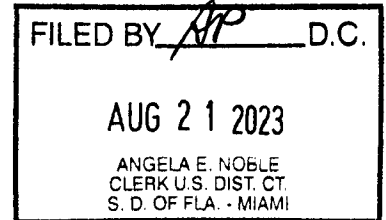
Plaintiff,

v.

THE INDIVIDUALS, PARTNERSHIPS AND
UNINCORPORATED ASSOCIATIONS
IDENTIFIED ON SCHEDULE "A,"

Defendants.

_____ /



NOTICE OF FILING BOND

PLEASE TAKE NOTICE Plaintiff, The Smiley Company SPRL, by undersigned counsel, hereby file the attached original bond certificate issued in accordance with the Court's Order Granting *Ex Parte* Application for Entry of Temporary Restraining Order (ECF No. 12).

Date: August 21, 2023

Respectfully submitted by,

THE BRICKELL IP GROUP, PLLC
1101 Brickell Avenue
South Tower, Suite 800
Miami FL, 33131
Tel: 305-728-8831
Fax: 305-428-2450

By:



Javier Sobrado
Fla. Bar No. 44992
Email: JSobrado@BrickellIP.com

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION

THE SMILEY COMPANY SPRL,

Plaintiff,

v.

THE INDIVIDUALS, PARTNERSHIPS AND
UNINCORPORATED ASSOCIATIONS
IDENTIFIED ON SCHEDULE "A"

Defendant(s).

Case No.: 23-61233-CIV-MARTINEZ-BECERRA

BOND ON INJUNCTION

Bond No. S-938548

We, AXENCIS INC., AS AGENT FOR THE SMILEY COMPANY SPRL, as Principal, and NGM INSURANCE COMPANY, as Surety, are bound to the above shown Defendant(s), as Oblige, in the sum of TEN THOUSAND DOLLARS (\$10,000.00) lawful money of the United States of America, for the payment of which we bind ourselves, our heirs, personal representatives, successors and assigns jointly and severally.

THE CONDITION OF THIS BOND IS SUCH; That if the Principal shall pay all costs and damages that the Oblige may sustain in consequence of the Principal improperly obtaining a temporary injunction or restraining order in this action, then this bond is void; otherwise it remains in full force and effect.

Signed, sealed and dated this 17th day of August, 2023.

NGM INSURANCE COMPANY

4601 Touchton Rd., Ste. 3400, Jacksonville, FL 32246



By: Nicholas A. Hanley, Attorney-in-Fact
and Florida Resident Agent

PRINCIPAL



By: Attorney for Principal

APPROVED on _____, 2023.

(Judge)(Clerk)

United States District Court
Southern District of Florida

Case Number: 23 W 61233-JEM.

SUPPLEMENTAL ATTACHMENT(S)

Please refer to supplemental "file" in the division where the Documents/Exhibits were submitted and filed.

Division Document/Exhibits Submitted and Filed: Miami

These Documents/Exhibits must not be placed in the "temp chron file".

Documents/Exhibits Retained in Supplemental Files (Scanned)

- ☐ • Poor quality scanned images (i.e. Handwritten, Photographs)
- ☒ • Surety bonds
- ☐ • Bound extradition papers

Documents/Exhibits Retained in Supplemental Files (Not Scanned)

- ☐ • CD, DVD, USB drive. (i.e. Audio/Visual)

** All other documents and documentary exhibits are part of the CM/ECF Case Record in pdf format.

Date: 8/21/2023



NGM INSURANCE COMPANY
A member of The Main Street America Group

POWER OF ATTORNEY

S-938548

KNOW ALL MEN BY THESE PRESENTS: That NGM Insurance Company, a Florida corporation having its principal office in the City of Jacksonville, State of Florida, pursuant to Article IV, Section 2 of the By-Laws of said Company, to wit:

"SECTION 2. The board of directors, the president, any vice president, secretary, or the treasurer shall have the power and authority to appoint attorneys-in-fact and to authorize them to execute on behalf of the company and affix the seal of the company thereto, bonds, recognizances, contracts of indemnity or writings obligatory in the nature of a bond, recognizance or conditional undertaking and to remove any such attorneys-in-fact at any time and revoke the power and authority given to them."

does hereby make, constitute and appoint Nicholas A Hanley, William R Hanley, April Reagan its true and lawful Attorney-in-fact, to make, execute, seal and deliver for and on its behalf, and as its act and deed bond number S-938548 dated August 17, 2023, on behalf of Axencis Inc. as agent for The Smiley Company SPRL in favor of US District Court, Southern District of Florida

for Ten Thousand and 00/100 Dollars (\$ 10,000.00) and to bind NGM Insurance Company thereby as fully and to the same extent as if such instrument was signed by the duly authorized officers of NGM Insurance Company; this act of said Attorney is hereby ratified and confirmed.

This power of attorney is signed and sealed by facsimile under and by the authority of the following resolution adopted by the Directors of NGM Insurance Company at a meeting duly called and held on the 2nd day of December 1977.

Voted: That the signature of any officer authorized by the By-Laws and the company seal may be affixed by facsimile to any power of attorney or special power of attorney or certification of either given for the execution of any bond, undertaking, recognizance or other written obligation in the nature thereof; such signature and seal, when so used being hereby adopted by the company as the original signature of such officer and the original seal of the company, to be valid and binding upon the company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, NGM Insurance Company has caused these presents to be signed by its Vice President, General Counsel and Secretary and its corporate seal to be hereto affixed this 26th day of September, 2019.

NGM INSURANCE COMPANY By:

Kimberly K. Law



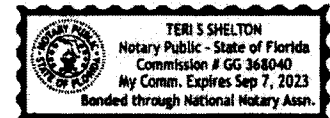
Kimberly K. Law
Vice President, General Counsel and Secretary

State of Florida,
County of Duval

On this 26th day of September, 2019 before the subscriber a Notary Public of State of Florida in and for the County of Duval duly commissioned and qualified, came Kimberly K. Law of NGM Insurance Company, to me personally known to be the officer described herein, and who executed the preceding instrument, and he acknowledged the execution of same, and being by me fully sworn, depose and said that he is an officer of said Company, aforesaid: that the seal affixed to the preceding instrument is the corporate seal of said Company, and the said corporate seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Company; that Article IV, Section 2 of the By-Laws of said Company is now in force.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal at Jacksonville, Florida this day 26th of September, 2019.

Teri S Shelton



I, Nancy Giordano-Ramos, Vice President of NGM Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said Company which is still in force and effect. IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company at Jacksonville, Florida this 17 day of August, 2023.

Nancy Giordano-Ramos



WARNING: Any unauthorized reproduction or alteration of this document is prohibited.

TO CONFIRM VALIDITY of the attached bond please call 1-603-354-5281.

TO SUBMIT A CLAIM: Send all correspondence to 55 West Street, Keene, NH 03431

Attn: Bond Claim Dept. or call our Bond Claim Dept. at 1-603-358-1437